

# **TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Chris Kovanes, Programs Administrator / 797-1102

**SUBJECT:** Ordinance

**TITLE OF AGENDA ITEM:** AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, SECTION 12-113, ENTITLED "BUFFERING AND LANDSCAPING FOR TELECOMMUNICATION TOWERS, ANTENNA, RELATED ACCESSORY STRUCTURES AND OTHER COMMUNICATION ANTENNA APPARATUS"; AND CREATING SECTION 12-114, ENTITLED "DEFINITIONS"; AND SECTION 12-506, ENTITLED "TELECOMMUNICATIONS TOWERS": TO PROVIDE LANDSCAPE STANDARDS FOR TELECOMMUNICATION TOWERS, ANTENNAS, RELATED ACCESSORY STRUCTURES, AND OTHER COMMUNICATION ANTENNA APPARATUS; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

**REPORT IN BRIEF:** The Town of Davie's landscaping code for telecommunications towers and equipment is being modified down to specific language that will assure the most minimum negative visual affect that this type of development can create. Currently the Town's code does not address specific needs that allows for a disruption of Davie's natural landscaping across the Town. This ordinance only pertains to landscaping, another ordinance will be drafted regarding the entire wireless telecommunications development within the Town boundaries.

**PREVIOUS ACTIONS:** Not Applicable

**CONCURRENCES:** The Planning and Zoning Board reviewed this item at their April 25, 2001 meeting.

**FISCAL IMPACT:** Not Applicable

**ADDITIONAL COMMENTS:** Not Applicable

**RECOMMENDATION(S):** Motion to approve the Ordinance.

Attachment(s):  
Ordinance,  
Drawing

ORDINANCE \_\_\_\_\_

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, SECTION 12-113, ENTITLED "BUFFERING AND LANDSCAPING FOR TELECOMMUNICATIONS TOWERS, ANTENNA, RELATED ACCESSORY STRUCTURES AND OTHER COMMUNICATION ANTENNA APPARATUS"; AND CREATING SECTION 12-114, ENTITLED "DEFINITIONS"; AND SECTION 12-506, ENTITLED "TELECOMMUNICATIONS TOWERS"; TO PROVIDE LANDSCAPE STANDARDS FOR TELECOMMUNICATION TOWERS, ANTENNAS, RELATED ACCESSORY STRUCTURES, AND OTHER COMMUNICATION ANTENNA APPARATUS; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Davie encourages buffering of telecommunication towers and related apparatus; and

WHEREAS, the proposed regulations work towards reaching the Town's goal of buffering telecommunications and apparatus.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. That Section 12-113 of the Town Code is hereby amended as follows:

Section 12-113. Definitions. Buffering and landscaping for telecommunications towers, antenna, related accessory structures and other communication antenna apparatus.

(1) Buffer requirements. Bufferyard shall be required surrounding all ground mounted telecommunication towers, antennas, related accessory structures or other communication antenna apparatus, as follows:

a. A minimum 15' perimeter landscape buffer shall be provided on all properties with a residential zoning or land use classification, or for parcels planned directly abutting, utilizing minimum setback requirements, a residential zoning district, land use or existing use.

b. A minimum 10' perimeter landscape buffer shall be provided on all properties with a zoning or land use classification of commercial or land use classification not mentioned herein.

c. A minimum 5' perimeter landscape buffer shall be provided on all sites with a zoning or land use classification of industrial or zoning.

(2) Fence requirements. All telecommunication facilities or communication antenna apparatus shall be surrounded by a maximum 8 foot high, green, vinyl clad chain-link fence. The use of barbed wire shall be prohibited. All associated required landscape material shall be placed on the outside of said

fencing. The fence requirement may be waived, for a telecommunication tower exclusively, if said telecommunication tower is located separate from related accessory buildings.

(3) *Planting requirements.* The planting requirements shall be designed to form a living screen consisting of various layers and heights of plant material. Said material shall consist of the following: groundcover, shrubs, large shrubs and/or small accent trees, and canopy trees and/or palms.

a. Groundcover shall be installed at a minimum quantity equal to 100% of the overall length of the required landscape buffer.

b. Shrubs shall be installed at a height of two (2) to four (4) feet, at time of installation. One (1) shrub shall be required for each eight (8) square feet of required landscape buffer.

c. Large shrubs and small accent trees shall be installed at a height of four (4) to six (6) feet at time of installation, adjacent to said fencing. One (1) shrub and/or tree shall be required for every six (6) linear feet of required landscape buffer. In instances where shrubs can be installed at heights in excess of six (6) feet, the small shrub requirements may be reduced to one (1) small shrub for every 10 linear feet.

d. Canopy trees, 10' minimum in height and/or palms, minimum 10 foot clear trunk, shall be provided for as stated in Section 12-107(D)(1)(a)(1)(2)(3). One (1) canopy tree shall be required every 20 linear feet of required landscape buffer. However, where palms are substituted, one canopy tree is equal to three palms. No more than 50% of required trees shall be palms.

e. All other areas within the landscape buffer shall be sodded.

f. All plantings shall match in material and design any existing landscape plantings upon an existing site. Designs shall be encouraged to be natural in appearance. Straight line plantings shall be prohibited. The use of berms shall be required in residential zoning or land use classifications, or any other parcel which meets the requirements of Section 12-113(1)(a), and encouraged in all other classifications, if adequate space is provided at a maximum slope of 4:1.

(4) *Plant material.* Plant materials shall meet the requirements as stated in Section 12-102. Native vegetation, as required in Section 12-102(D) shall meet, at a minimum, 50% native species. In addition, all plant material shall be 100% drought-tolerant. The Development Services Department shall maintain a list of planting material appropriate for said sites.

(5) *Irrigation.* All landscape bufferyards shall be automatically irrigated with 100% coverage. Irrigation plans shall be submitted in conjunction with site plan approval or other permit approval process.

(6) *Maintenance.* All telecommunication or communication sites shall provide to the Town, prior to the issuance of a building permit, a copy of an executed maintenance agreement with the owner of the overall subject site detailing the responsibility for the maintenance of the telecommunications site and

repercussions for non-maintenance.

Sec.. ~~12-113~~ 12-114. Definitions.

Section 12-506(D)(7) Buffering and landscape. ~~All buffering and landscape requirements applicable to industrial districts as they may be amended from time to time shall apply to all telecommunication tower sites.~~ All buffering and landscape requirements shall adhere to the standards as stated in Section 12-113, Buffering and Landscaping for telecommunication towers, antenna, related accessory structures and other communication antenna apparatus. The Town may require landscaping in excess of the requirements of the Town Code in order to enhance compatibility with adjacent residential and nonresidential land uses.

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 4. This ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2001

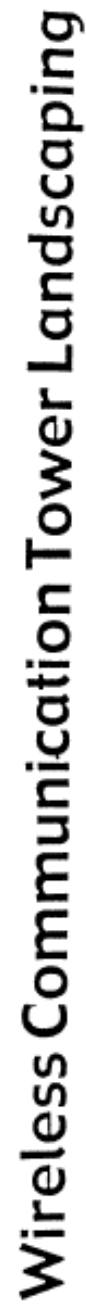
PASSED ON SECOND READING THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2001

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2001



## Wireless Communication Tower Landscaping